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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,444	10/29/2003	Joseph J. Spranza	SDEV-1-1003	7974
25315 7590 09/09/2009 BLACK LOWE & GRAHAM, PLLC 701 FIFTH AVENUE SUITE 4800 SEATTLE, WA 98104				
EXAMINER KOHARSKI, CHRISTOPHER				
ART UNIT 3763		PAPER NUMBER		
NOTIFICATION DATE 09/09/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing-patent@blacklaw.com
smith@blacklaw.com

DETAILED ACTION***Acknowledgements***

The Examiner acknowledges the reply filed 04/03/2009 in which no claims were amended and new claims 9-26 were added. Currently claims 9-26 are pending for examination in this application.

Additionally, the Examiner also acknowledges the granted petition to revive the application filed 05/21/2009.

The Examiner notes the Applicant's request for another non-final rejection, the Applicant is reminded an action on the merits has already been presented on 7/09/2007. Further to this action, Applicant also appears to refiling some of the same claims already rejected with no remarks and appears to be adding substantially new method claims that would present a new search directed to the specific methods, thereby requiring an election restriction.

Response to Amendment

The reply filed on 04/03/2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has failed to respond the first action presented 07/09/2007 and the art presented therein. Many of the new claims presented are the same as previously presented in the claim set filed 8/26/2008. Further Applicant has added method claims that were not originally presented as such. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

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EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR
1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher D. Koharski whose telephone number is 571-272-7230. The examiner can normally be reached on 5:30am to 2:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Date: 9/3/2009

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/Christopher D Koharski/

Examiner, Art Unit 3763

/Nicholas D Lucchesi/

Supervisory Patent Examiner, Art Unit 3763